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SINGLE BENCH

40357-6
P.R. No. 40357-6 40361-6 3
Presented by Shri. Anvesh Pandey
dated 27/1/06

IN THE HIGH COURT OF JUDICATURE BILASPUR

W.P. No. 3989 /2006
(S)

PETITIONER : P D Gupta, S/o Late B L Gupta,
aged about 50 Years, R/o Forest
Colony, Khandgawaon, Distt. -
Korea.

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, through
Secretary Forest Department, D K S
Bhawan, Mantralaya Raipur, Distt. -
Raipur (C.G.).
2. The Conservator of Forest, Forest
Office, Surguja, Distt. Surguja
(C.G.).
3. Mr. Tahmir Ahmed, aged about 45
years, R/o Kusumi East Surguja
Forest Division, Distt. Surguja (C.G.)

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WRIT PETITION UNDER ARTICLE 226 & 227 OF THE
CONSTITUTION OF INDIA

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मामला क्रमांक WP 3980/06 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	8.8.2006 Mr. Aneesh Dubey, Adv. for the petitioner. Mrs. Anju Ahuja, Dy. G.A. for the State on advance copy. Heard. By the instant petition the petitioner, who is working as Forest Ranger, Khadgawan, Forest Division Korla, has challenged his transfer order dated 7.7.2006 (Annexure P-6) whereby he has been transferred to Kusmi East, Forest Division, Sarguja. Learned counsel for the petitioner argued that the petitioner's wife and daughter are suffering from orthopedic problem and therefore, the order impugned is bad. It is settled law that the transfer can be challenged only on the ground when the same is outcome of malafide and passed against the statutory rules. No such violation is there, therefore, the petition is liable to be dismissed and it is hereby dismissed. However, if the petitioner's wife and daughter are having orthopedic problem, then he is at liberty to make representation to respondent No.2 within 10 days from today and in turn, respondent No.2 to decide the representation of the petitioner within a period of 30 days from the date of receipt of the representation in accordance with law after considering the point raised by the petitioner. Consequently, M.(W.)P. No.3105/06 also stands dismissed.	

Sd/-
L.C.Bhadoo
Judge

P.T.O.

11/8/06
10/8/06